

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**CIVIL MINUTES – GENERAL**

Case No. 2:18-cv-08249-JLS-KES

Date: August 9, 2019

Title: REGINALD L. PAYNE v. COMMISSIONER OF SOCIAL SECURITY

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PRESENT:

THE HONORABLE KAREN E. SCOTT, U.S. MAGISTRATE JUDGE

Jazmin Dorado  
Courtroom Clerk

Not Present  
Court Reporter

ATTORNEYS PRESENT FOR  
PLAINTIFF:  
None Present

ATTORNEYS PRESENT FOR  
DEFENDANTS:  
None Present

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**PROCEEDINGS (IN CHAMBERS):**

**Order to Show Cause Why Court Should  
Not Consider Plaintiff's Motion for  
Judgment on the Pleadings Unopposed**

In September 2018, pro se Plaintiff Reginald L. Payne ("Plaintiff") filed this lawsuit appealing the denial of social security disability benefits. (Dkt. 1.) On September 28, 2019, the Court issued a Case Management Order ("CMO"). (Dkt. 7.) The CMO provided: "Within 35 days of the service of Plaintiff's motion, the Commissioner shall serve and file his/her opposition/cross-motion for judgment on the pleadings." (Id. at 3.) The CMO further required that any extension requests be submitted at least three days before the deadline. (Id. at 5.)

On June 25, 2019, Plaintiff filed his motion for judgment on the pleadings (Dkt. 19), along with a proof of service, indicating that service of the motion was completed on that same day. (Dkt. 20.) The thirty-five-day window for the Commissioner to file an opposition or cross-motion therefore elapsed on July 30, 2019. Nevertheless, the Commissioner has not responded.

IT IS HEREBY ORDERED that, **on or before August 23, 2019**, the Commissioner shall discharge this order to show cause by filing an opposition or cross-motion for judgment on the pleadings. If the Commissioner does not timely respond, then the Court will consider Plaintiff's motion unopposed.

Initials of Deputy Clerk JD